

REMARKS

This Amendment is prepared in response to the non-final Office action mailed on 17 October 2006 (Paper No. 13). Upon entry of this amendment, claims 1, 2, 3, 5, 9, 10, 12 through 16 and 20 will be pending. Applicant has amended claims 1, 2, 3, 5, 9 and 10, canceled claims 6 through 8 and 17 through 19 without prejudice or disclaimer as to their subject matter and newly added claim 20 by this amendment.

Claim Rejection under 35 U.S.C. §102

On Page 2 of Paper No. 13, the Examiner rejected claims 1-3, 13 and 16 under 35 U.S.C. §102(e) as being anticipated by Ganesh *et al.* (US 2002/0051450). Applicant has the following comments.

Regarding Applicant's claim 3, Applicant claims, "said main search unit includes: ... an address sorting logic for classifying addresses having same characteristics to store data known to the ethernet switch system into said address table". Starting on the bottom of Page 5 and continuing on into Page 6 of Paper No. 13, the Examiner addresses this limitation of Applicant's claim 3 by saying:

"Although Ganesh does not explicitly show that the central management module comprises an address sorting logic for classifying addresses having same characteristics to store data known to the Ethernet switch system into said address table.

However, Ganesh discloses a packet analysis and key extraction logic (address sorting logic) extracts source and destination addresses, and

virtual LAN information from the network frame, and creates a key which is passed to the binary search engine (an address sorting logic for classifying an Ethernet address into groups as many as necessary, and corresponding to each of said destination address table and said source address table, see lines 1-8, section "0025", page 3 and element 66, Figure 3);

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the main search unit of Ganesh such that a sorting logic is in place to classify addresses having same characteristics into the central lookup table such as the packet analysis and key extraction logic taught by Ganesh. The motivation to do so is to allow the search engine of the local lookup table to perform searches efficiently and correctly because table entries that are in sorted order would allow faster data retrieval." Applicant objects

Applicant submits that it is improper for the Examiner to rely on obviousness and motivation to reject a claim that has been anticipated under 35 USC 102. Applicant further submits that the Examiner in Paper No. 13 has failed to comply with MPEP 2131 regarding an anticipation rejection. MPEP 2131 mandates that a reference must teach every element in a claim to anticipate a claim. Applicant submits that Ganesh does not teach, "said main search unit [that] includes: ... an address sorting logic for classifying addresses having same characteristics to store data known to the ethernet switch system into said address table". Because Ganesh fails to teach this limitation of Applicant's claim 3, and because the Examiner rejected claim 3 as being anticipated by Ganesh, Applicant submits that the rejection of claim 3 in Paper No. 13 is improper. As a result, Applicant has amended claim 3 to place it in independent form by this amendment.

Claim Rejection under 35 U.S.C. §103

On Page 7 of Paper No. 13, the Examiner rejected claims 5-7, 9, 14-15, 17-18 under 35 U.S.C. §103(a) as being unpatentable over Ganesh '450 in view of Morrow *et al.* (US 5,111,453). Applicant has amended claim 5 by this amendment making this rejection moot.

Comments on Applicant's Amendments

Regarding Applicant's claim 1, Applicant is amending claim 1 to respond to the Examiner's comments on page 13 of Paper No. 13 so that the Either ... Or language is removed. Although Applicant disagrees with the Examiner's assertion that the phrase after the "or" need not be examined, Applicant is removing the either/or words from claim 1 for the purpose of expediency. Applicant submits that claim 1 as amended is not anticipated by Ganesh because Ganesh fails to discuss 1) what happens when the central management module fails to have the destination address for a packet and 2) the sending of a "no-port" signal.

Regarding Applicant's claim 5, Applicant is amending this claim to claim the filtering when destination and source addresses of an input packet are the same and updating the destination address of the local search block when the main search block contains the destination address, and the sending of the "no-port" signal and the broadcasting as in allowed claim 8.

Applicant has newly added depending claim 20 to claim the specifics of the search in the main search block for the destination address when the local search block does not contain the destination address.

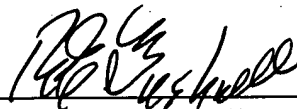
Entry of and favorable examination are respectfully requested.

A fee of \$450.00 for large entity is incurred by filing of a petition for a two month extension of time, set to expire on **19 March 2007**. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

In view of the above, it is submitted that all of the claims now present in the application are patentable over the cited references, taken either alone or combination and accordingly should now be in a conditions suitable for allowance.

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Robert E. Bushnell', is written over a horizontal line.

Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56257
Date: 3/19/07
I.D.: REB/ML